CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

Complaint No. R2-2007-0018
Mandatory Minimum Penalty
In the Matter of
Sausalito-Marin City Sanitary District
Sausalito, Marin County

Amount of Assessment and Period of Violations Covered

This complaint assesses $204,000 in MMPs to the Sausalito-Marin City Sanitary District (hereafter Discharger). The complaint is based on a finding of the Discharger's violations of Waste Discharge Requirements Order No. 2000-060 and No. 2003-0109 (NPDES No. CA 0038067) from March 2004 to March 2007.

General Overview of this Document

This document is a Mandatory Minimum Penalty (MMP) complaint. The Water Board is required by State law to assess MMPs for certain types of permit violations from point-source facilities. MMP complaints are issued by the Water Board Executive Officer, and the MMPs are finalized in a public hearing before the Water Board, unless the Discharger decides to waive its right to the hearing. The first section of this document describes the general process for determining which violations are subject to MMPs, the amount of penalty the complaint will assess, and the portion of the penalty the Discharger may apply towards an environmental project. This procedure is the same for all facilities to which the MMP laws apply. The second section of this document describes the Discharger's specific violations that are covered by this MMP.

I. General Procedure for Assessing MMPs

A. **State law requires a $3,000 minimum penalty for all serious violations, as well as for other (chronic) violations when four or more occur within a six-month period.** Even though a specific violation may be both serious and chronic, under the MMP laws, any one violation may only be assessed $3,000.

B. **State law requires a penalty for serious violations.**
The Water Board must assess a mandatory minimum penalty (MMP) of $3,000 for each serious violation, per Water Code Section 13385(h)(1). A "serious violation" is defined as any waste discharge of a Group I pollutant that exceeds the effluent limitation contained in the applicable waste discharge requirements by 40 percent or more, or any waste discharge of a Group II pollutant that exceeds the effluent limitation by 20 percent or more, per Water Code Section 13385(h)(2). Pollutants are assigned to Group I or Group II by federal regulations, and in Section II, this MMP will specify to which group each violation belongs. The full lists of Group I and Group II violations are defined in Section 123.45 of Title 40 of the Code of Federal Regulations.

C. State law requires a penalty for "chronic" violations.
The Water Board must assess a mandatory penalty of $3,000 for each chronic violation, in a running six-month period, per Water Code Section 13385(i), if the Discharger does any of the following four or more times:

1. Violates a waste discharge requirement effluent limitation.
2. Fails to file a report pursuant to Section 13260.
3. Files an incomplete report pursuant to Section 13260.
4. Violates a toxicity discharge limitation contained in the applicable waste discharge requirements where the waste discharge requirements do not contain pollutant-specific effluent limitations for toxic pollutants.

The first three violations (meeting any of 1-4 above) occurring within a six month period are not considered chronic violations—only the fourth and over are counted as chronic. Also, the running six-month period is counted backwards from each individual violation considered. For example, to determine whether a violation that occurred on August 1st was subject to a penalty, you would count how many other violations had occurred since February 1st of the same year. If there had been at least three other violations in that period, the August 1st violation would be chronic and therefore subject to a $3,000 penalty.

D. State law limits the amount of the penalty that may be applied toward an environmental project (or to multiple projects).
If the Water Board agrees, the Discharger may choose to direct a portion of the penalty amount to fund a supplemental environmental project (SEP) in accordance with the enforcement policy of the State Water Resources Control Board, per Water Code Section 13385(l). The Discharger may undertake an SEP up to the full amount of the penalty for liabilities less than or equal to $15,000. If the penalty amount exceeds $15,000, the maximum penalty amount that may be expended on an SEP may not exceed $15,000 plus 50 percent of the penalty amount that exceeds $15,000.

E. A supplemental environmental project (SEP) must be within certain categories.
If the Discharger chooses to propose an SEP, the proposed SEP shall be in the following categories:

1. Pollution prevention
2. Pollution reduction
3. Environmental clean-up or restoration
4. Environmental education

II. Specific Details of this MMP

A. Permit at the Time of Violations
On July 19, 2000, the California Regional Water Quality Control Board (Water Board) adopted Order No. 2000-060 for the Discharger, to regulate discharges of waste from

its facility. Order No. 2000-060 was amended on December 3, 2003, by Order No. 2003-0109.

B. Effluent Limitations

Order No. 2000-0060 and Order No. 2003-0109 specified the following effluent limitations:

Parameter	Effluent Limit
Biochemical oxygen demand monthly average	30 mg/L
Carbonaceous biochemical oxygen demand monthly average	25 mg/L
Carbonaceous biochemical oxygen demand weekly average	40 mg/L
Total suspended solids monthly average	30 mg/L
Total suspended solids weekly average	45 mg/L
Total suspended solids daily maximum	60 mg/L
Oil and grease monthly average	10 mg/L
Settleable matter monthly average	0.1 mg/L-hr
Settleable matter daily maximum	0.2 mg/L-hr
Total chlorine residual instantaneous maximum	0 mg/L
Cyanide interim daily maximum	25µg/L
Minimum removal requirement for biochemical oxygen demand and total suspended solids	85%
Enterococci bacteria maximum per sample	124 colonies/100 mL

C. Summary of Effluent Limit Violations

During the period between March 1, 2004, and March 31, 2007, the Discharger had 72 violations of its effluent discharge limits, detailed on Table 1. These violations were:

- 16 biochemical oxygen demand violations
- 40 total suspended solids violations
- 1 oil and grease effluent violation
- 9 settleable matter violations
- 1 chlorine violation
- 1 cyanide effluent limit violation
- 4 enterococci bacteria violations

D. Water Board Staff's Consideration of Violations

This Complaint addresses many violations which can be generally categorized into two subsets: ongoing violations of technology-based limits, and isolated violations. The ongoing violations involve the fifty-six violations of the limits for biochemical oxygen demand and total suspended solids. The isolated violations involve the other sixteen violations.

1. **Ongoing Violations of Technology-based Limits**

Through Water Board staff's coordination with USEPA, correction of ongoing violations of technology limits will be required by a USEPA Administrative Order. This MMP Complaint will assess penalties for ongoing violations that have occurred to date. The USEPA Administrative Order is necessary because the number of ongoing violations suggests systemic problems with the treatment plant for which additional corrective action (such as plant upgrades) are needed and must be required.

There appears to be two causes for the ongoing violations. The primary one involves the lack of ancillary treatment units that are common-place at other treatment facilities and that serve to improve and maintain the efficiency of key treatment units. A contributing cause involves excessive influent flows from inflow and infiltration (I&I) into the sewage collection system.

a. **Violations Caused by Lack of Ancillary Treatment Units**
The Discharger's facility is located on a small parcel. In its original design, some common-place components were not included:

- **Lack of headworks**—Headworks serve to screen out large debris and particles before sewage enters the solids settling stage (primary treatment). The Discharger's facility does not have headworks, and therefore, large debris and particles have to be removed during the primary treatment process. This extra burden decreases the efficiency of the primary clarifier.
- **Only one primary clarifier**—the purpose of the primary clarifier is to settle out large solids before wastewater travels to the aerobic digestion stage (secondary treatment). When the Discharger needs to clean or perform maintenance on its primary clarifier, it must temporarily convert one of its secondary clarifiers to a primary clarifier. This reduces the Discharger's facility's secondary treatment capability, thereby further straining the facility's ability to remove solids and biochemical oxygen demand.
- **Space-efficient secondary treatment system is hard to operate**—the Discharger uses two 40-foot tall fixed film reactors for its aerobic digestion stage (secondary treatment). Film reactors are large sheets, with a thin layer of aerobic bacteria, over which sewage flows. The thin layer of bacteria digests and treats the water as it flows over the surface. The fixed film reactors, in order to function properly, require a specific amount of water pressure—not so strong that the layer of beneficial microbes is stripped off of the reactor surface, but not so weak that the bacteria film gets thick and oxygen is not able to penetrate and keep the aerobic digestion going. The Discharger's water is not always at the correct pressure. This reduces the ability of the secondary treatment system to remove suspended solids and biochemical oxygen demand from wastewater. Instead of using fixed film reactors, sewage treatment plants with more available land typically use aeration basins, which are a more consistent and reliable means of secondary treatment.

b. Violations Caused by Excessive Inflows

The dry weather design capacity for the Discharger's facility is 1.8 million gallons per day (MGD), while the wet weather design capacity is 5.5 MGD. However, influent flows higher than 6 MGD have occurred, typically about seven times a year. Stormwater, during wet weather, and high-salinity bay water, during high tide, infiltrate from satellite sewage collection systems. High-salinity bay water is a problem not only because it adds to the volume of wastewater that must be treated, but because its high dissolved solids (salts) interfere with the settling of solids. This decreases the solids removal efficiency of the Discharger's facility.

2. Isolated Violations

- There were nine settleable matter violations. Settleable matter will no longer be a required limitation in the next permit because the Water Board removed that requirement from the Basin Plan in 2004.For this reason, we consider that the minimum penalty is appropriate for these violations.

- The oil and grease violation on June 30, 2005, is the only oil and grease violation in the five years preceding the incident, and there has been no other oil and grease violation since. For this reason, the minimum penalty is appropriate.

- The Discharger experienced a high chlorine residual (0.21 mg/L) for 14 minutes on January 11, 2005. The violation occurred after the cleaning of a sodium nitrate tank. The sodium nitrate was pumped from the tank into the collection system too fast. This caused a slug dose of sodium nitrate, which fouled the electrodes on the chlorine analyzers. The fouled electrodes could not give an accurate reading of the amount of chlorine present in the system. As a result, the sodium bisulfite dosing equipment fed an insufficient amount of dechlorinating chemical. The minimum penalty is appropriate because this violation was an isolated incident, and the operator was counseled to prevent a recurrence.

- The recorded cyanide level on September 7, 2005, was above its maximum daily limit of 25 µg/L. Because this is the only cyanide violation in the five years preceding the incident, the minimum penalty is appropriate.

- The four enterococci bacteria violations occurred because the chlorine demand exceeded the chlorine dosing system's capacity to deliver sufficient chlorine during wet weather high flows. This system is controlled by four metering valves, which can dose up to 600 pounds of chlorine per day. Insufficient chlorine resulted in higher counts of enterococci bacteria. Because the Discharger is in the process of installing metering valves that will double the capacity of the current metering valves, the minimum penalty is adequate.

E. **Assessment of fines**

- Five of the forty total suspended solids violations are defined as serious violations because total suspended solids is a Group I pollutant, and the violations exceed the effluent limitation by 40 percent or more. These five violations are each subject to a $3,000 MMP under Section 13385(h), for a total of $15,000. Thirty-four of the total suspended solids exceed the effluent limitation by less than 40 percent, but are each subject to a $3,000 MMP under Section 13385(i), for a total of $102,000.

- One of the sixteen biochemical oxygen demand violations is defined as a serious violation because biochemical oxygen demand is a Group I pollutant, and the violation exceeds the effluent limitation by 40 percent or more. This violation is subject to a $3,000 MMP under Section 13385(h). Thirteen of the biochemical oxygen demand violations exceed the effluent limitation by less than 40 percent, but are each subject to a $3,000 MMP under Section 13385(i), for a total of $39,000.

- The oil and grease violation of June 30, 2005, is not a serious violation because oil and grease is a Group I pollutant, and the violation exceeds the effluent limitation by less than 40%. However, because there were more than three effluent limit violations in the preceding 180 days, it is subject to a $3,000 MMP under Section 13385(i).

- All of the nine settleable matter violations are defined as serious violations because settleable matter is a Group I pollutant, and the violations exceed the effluent limitation by 40 percent or more. These violations are each subject to a $3,000 MMP under Section 13385(h), for a total of $27,000.

- The chlorine residual instantaneous maximum effluent limit violation on January 11, 2005, is defined as a serious violation because chlorine is a Group II pollutant, and the violation exceeds the effluent limitation by 20 percent or more. This violation is subject to a $3,000 MMP under Section 13385(h).

- The cyanide violation of September 7, 2005, is not a serious violation because cyanide is a Group II pollutant, and the violation exceeds the effluent limitation by less than 20 percent. However, because there were more than three effluent limit violations in the preceding 180 days, it is subject to a $3,000 MMP under Section 13385(i).

- Enterococci bacteria is neither a Group I nor a Group II pollutant, but because there were more than three effluent limit violations in the preceding 180 days, three of the four Enterococci bacteria effluent limit violations are each subject to a $3,000 MMP under Section 13385(i) for a total of $9,000.

- Water Code Exception: Water Code Section 13385(j) provides some exceptions related to the assessment of MMPs for effluent limit violations. None of the exceptions apply to the violations cited in this Complaint.

- Assessment of MMPs: Sixty-eight of the seventy-two violations are subject to an MMP. The total MMP amount is $204,000.

- Suspended MMP Amount: Instead of paying the full penalty amount to the State Water Pollution Cleanup and Abatement Account, the Discharger may spend an amount of up to $109,500 on an SEP acceptable to the Executive Officer. Any such amount expended to satisfactorily complete an SEP will be permanently suspended.

THE DISCHARGER IS HEREBY GIVEN NOTICE THAT:

1. The Executive Officer proposes that the Discharger be assessed MMPs in the total amount of $204,000.

2. The Water Board will hold a hearing on this Complaint on August 8, 2007, unless the Discharger waives the right to a hearing by signing the included waiver and checks the appropriate box. By doing so, the Discharger agrees to:

   a) Pay the full penalty as stated above within 30 days after the signed waiver becomes effective, or
   b) Propose an SEP in an amount up to $109,500. Pay the balance of the penalty within 30 days after the signed waiver becomes effective. The sum of the SEP amount and the amount of the fine to be paid to the State Water Pollution Cleanup and Abatement Account shall equal the full penalty as stated above.

3. If the Discharger chooses to propose an SEP, it must submit a preliminary proposal by the close of the public comment period, as stated in the attached public notice, to the Executive Officer for conceptual approval. Any SEP proposal shall also conform to the requirements specified in Section IX of the Water Quality Enforcement Policy, which was adopted by the State Water Resources Control Board on February 19, 2002, and the attached Standard Criteria and Reporting Requirement for Supplemental Environmental Project. If the proposed SEP is not acceptable to the Executive Officer, the Discharger has 30 days from receipt of notice of an unacceptable SEP to either submit a new or revised proposal, or make a payment for the suspended portion of the penalty. All payments, including any money not used for the SEP, must be payable to the State Water Pollution Cleanup and Abatement Account. Regular reports on the SEP implementation shall be provided to the Executive Officer according to a schedule to be determined. The completion report for the SEP shall be submitted to the Executive Officer within 60 days of project completion.

4. The signed waiver will become effective on the day after the public comment period for this Complaint is closed, provided that there are no significant public comments on this

Complaint during the public comment period. If there are significant public comments, the Executive Officer may withdraw the Complaint and reissue it as appropriate.

5. If a hearing is held, the Water Board may impose an administrative civil liability in the amount proposed or for a different amount; decline to seek civil liability; or refer the matter to the Attorney General to have a Superior Court consider imposition of a penalty.

Bruce H. Wolfe
Executive Officer

5/31/07
Date

Attachments: Waiver
Table 1: Violations
Standard Criteria and Reporting Requirement for Supplemental Environmental Project

Sausalito-Marin City Sanitary District

Table 1 - VIOLATIONS

Item Number	Date of Violation	Effluent Limitation Described - E001	Permit Limit	Reported Value	Type of Violation[1]	Penalty	Start of 180 days[2]
1	31-Oct-04	Biochemical oxygen demand monthly average mg/L	Max 30	30.8	C1		4-May-04
2	30-Nov-04	Biochemical oxygen demand monthly average mg/L	Max 30	32.5	C2		3-Jun-04
3	30-Nov-04	Total suspended solids monthly average mg/L	Max 30	37	C3		3-Jun-04
4	27-Dec-04	Enterococci daily maximum coln/100ml	Max 124	2420	C4	$3,000	30-Jun-04
5	28-Dec-04	Enterococci daily maximum coln/100ml	Max 124	1986	C5	$3,000	1-Jul-04
6	31-Dec-04	Total suspended solids monthly average mg/L	Max 30	30.94	C6	$3,000	4-Jul-04
7	11-Jan-05	Chlorine residual instant maximum mg/L	Max 0	0.21	C7 (also S)	$3,000	15-Jul-04
8	28-Feb-05	Carbonaceous biochemical oxygen demand monthly average mg/L	Max 25	28.23	C8	$3,000	1-Sep-04
9	2-Mar-05	Carbonaceous biochemical oxygen demand weekly average mg/L	Max 40	42.9	C9	$3,000	3-Sep-04
10	31-May-05	Carbonaceous biochemical oxygen demand monthly average mg/L	Max 25	26.27	C7	$3,000	2-Dec-04
11	24-Jun-05	Total suspended solids daily maximum mg/L	Max 60	67	C8	$3,000	26-Dec-04
12	25-Jun-05	Carbonaceous biochemical oxygen demand weekly average mg/L	Max 40	43.2	C9	$3,000	27-Dec-04
13	25-Jun-05	Total suspended solids daily maximum mg/L	Max 60	63.5	C10	$3,000	27-Dec-04
14	25-Jun-05	Total suspended solids weekly average mg/L	Max 45	65.25	C11 (also S)	$3,000	27-Dec-04
15	30-Jun-05	Carbonaceous biochemical oxygen demand monthly average mg/L	Max 25	32.96	C9	$3,000	1-Jan-05
16	30-Jun-05	Oil and grease monthly average mg/L	Max 10	10.7	C10	$3,000	1-Jan-05
17	30-Jun-05	Total suspended solids monthly average mg/L	Max 30	35.38	C11	$3,000	1-Jan-05
18	31-Jul-05	Carbonaceous biochemical oxygen demand monthly average mg/L	Max 25	27.62	C11	$3,000	1-Feb-05
19	31-Aug-05	Total suspended solids monthly average mg/L	Max 30	33	C10	$3,000	4-Mar-05
20	7-Sep-05	Cyanide daily maximum ug/l	Max 25	28	C11	$3,000	11-Mar-05
21	30-Nov-05	Total suspended solids monthly average mg/L	Max 30	32.69	C11	$3,000	3-Jun-05
22	31-Dec-05	Total suspended solids monthly average mg/L	Max 30	30.74	C5	$3,000	4-Jul-05
23	29-Mar-06	Enterococci daily maximum coln/100ml	Max 124	2419.60	C3		30-Sep-05

Item Number	Date of Violation	Effluent Limitation Described - E001	Permit Limit	Reported Value	Type of Violation[1]	Penalty	Start of 180 days[2]
24	31-Mar-06	Carbonaceous biochemical oxygen demand monthly average mg/L	Max 25	27.25	C4	$3,000	2-Oct-05
25	31-Mar-06	Total suspended solids monthly average mg/L	Max 30	35.20	C5	$3,000	2-Oct-05
26	30-Apr-06	Total suspended solids monthly average mg/L	Max 30	31.2	C6	$3,000	1-Nov-05
27	10-May-06	Settleable matter daily maximum	Max 0.2	0.80	C7 (also S)	$3,000	11-Nov-05
28	13-May-06	Total suspended solids weekly average mg/L	Max 45	49.92	C8	$3,000	14-Nov-05
29	14-May-06	Total suspended solids daily maximum mg/L	Max 60	61.50	C9	$3,000	15-Nov-05
30	15-May-06	Settleable matter daily maximum	Max 0.2	0.60	C10 (also S)	$3,000	16-Nov-05
31	15-May-06	Total suspended solids daily maximum mg/L	Max 60	70.50	C11	$3,000	16-Nov-05
32	16-May-06	Settleable matter daily maximum	Max 0.2	0.30	C12 (also S)	$3,000	17-Nov-05
33	20-May-06	Total suspended solids weekly average mg/L	Max 45	48.14	C13	$3,000	21-Nov-05
34	25-May-06	Settleable matter daily maximum	Max 0.2	1.00	C14 (also S)	$3,000	26-Nov-05
35	25-May-06	Total suspended solids daily maximum mg/L	Max 60	67.50	C15	$3,000	26-Nov-05
36	26-May-06	Settleable matter daily maximum	Max 0.2	0.90	C16 (also S)	$3,000	27-Nov-05
37	26-May-06	Total suspended solids daily maximum mg/L	Max 60	66.00	C17	$3,000	27-Nov-05
38	27-May-06	Total suspended solids weekly average mg/L	Max 45	49.17	C18	$3,000	28-Nov-05
39	28-May-06	Total suspended solids daily maximum mg/L	Max 60	66.00	C19	$3,000	29-Nov-05
40	29-May-06	Total suspended solids daily maximum mg/L	Max 60	69.00	C20	$3,000	30-Nov-05
41	31-May-06	Settleable matter monthly average ml/l-hr	Max 0.1	0.2	C20 (also S)	$3,000	2-Dec-05
42	31-May-06	Total suspended solids monthly average mg/L	Max 30	47.54	C21 (also S)	$3,000	2-Dec-05
43	3-Jun-06	Total suspended solids weekly average mg/L	Max 45	46.71	C22	$3,000	5-Dec-05
44	30-Jun-06	Total suspended solids monthly average mg/L	Max 30	34.11	C22	$3,000	1-Jan-06
45	31-Jul-06	Total suspended solids monthly average mg/L	Max 30	37.36	C23	$3,000	1-Feb-06
46	5-Aug-06	Total suspended solids weekly average mg/L	Max 45	54.67	C24	$3,000	6-Feb-06

Item Number	Date of Violation	Effluent Limitation Described - E001	Permit Limit	Reported Value	Type of Violation[1]	Penalty	Start of 180 days[2]
47	7-Aug-06	Settleable matter daily maximum ml/l-hr ml/l-hr	Max 0.2	0.90	C25 (also S)	$3,000	8-Feb-06
48	8-Aug-06	Settleable matter daily maximum ml/l-hr	Max 0.2	0.40	C26 (also S)	$3,000	9-Feb-06
49	8-Aug-06	Total suspended solids daily maximum mg/L	Max 60	63.50	C27	$3,000	9-Feb-06
50	9-Aug-06	Total suspended solids daily maximum mg/L	Max 60	68.50	C28	$3,000	10-Feb-06
51	10-Aug-06	Total suspended solids daily maximum mg/L	Max 60	89.00	C29 (also S)	$3,000	11-Feb-06
52	11-Aug-06	Total suspended solids daily maximum mg/L	Max 60	73.00	C30	$3,000	12-Feb-06
53	12-Aug-06	Total suspended solids daily maximum mg/L	Max 60	74.00	C31	$3,000	13-Feb-06
54	12-Aug-06	Total suspended solids weekly average mg/L	Max 45	71.33	C32 (also S)	$3,000	13-Feb-06
55	31-Aug-06	Settleable matter monthly average ml/l-hr	Max 0.1	0.19	C33 (also S)	$3,000	4-Mar-06
56	31-Aug-06	Total suspended solids monthly average mg/L	Max 30	47.63	C34 (also S)	$3,000	4-Mar-06
57	31-Aug-06	Total suspended solids monthly removal %	Min 85	82.00	C35	$3,000	4-Mar-06
58	30-Sep-06	Total suspended solids monthly average mg/L	Max 30	33.26	C33	$3,000	3-Apr-06
59	31-Oct-06	Total suspended solids monthly average mg/L	Max 30	32.56	C33	$3,000	4-May-06
60	30-Nov-06	Total suspended solids monthly average mg/L	Max 30	32.3	C18	$3,000	3-Jun-06
61	12-Dec-06	Enterococci daily maximum coln/100ml	Max 124	501.8	C18	$3,000	15-Jun-06
62	16-Dec-06	Carbonaceous biochemical oxygen demand weekly average mg/L	Max 40	49.15	C19	$3,000	19-Jun-06
63	23-Dec-06	Carbonaceous biochemical oxygen demand weekly average mg/L	Max 40	53.85	C20	$3,000	26-Jun-06
64	30-Dec-06	Carbonaceous biochemical oxygen demand weekly average mg/L	Max 40	53.96	C20	$3,000	3-Jul-06
65	31-Dec-06	Carbonaceous biochemical oxygen demand monthly average mg/L	Max 25	51.88	C21 (also S)	$3,000	4-Jul-06
66	31-Dec-06	Carbonaceous Biochemical oxygen demand removal %	Min 85	73.00	C22	$3,000	4-Jul-06
67	31-Dec-06	Total suspended solids monthly removal %	Min 85	81.00	C23	$3,000	4-Jul-06
68	6-Jan-07	Carbonaceous biochemical oxygen demand weekly average mg/L	Max 40	45.87	C24	$3,000	10-Jul-06
69	6-Jan-07	Total suspended solids weekly average mg/L	Max 45	45.90	C25	$3,000	10-Jul-06

Item Number	Date of Violation	Effluent Limitation Described - E001	Permit Limit	Reported Value	Type of Violation[1]	Penalty	Start of 180 days[2]
70	31-Jan-07	Carbonaceous biochemical oxygen demand monthly average mg/L	Max 25	28.01	C24	$3,000	4-Aug-06
71	31-Jan-07	Total suspended solids monthly average mg/L	Max 30	34.97	C25	$3,000	4-Aug-06
72	28-Feb-07	Total suspended solids monthly average mg/L	Max 30	31.65	C15	$3,000	1-Sep-06
		Total Penalty Amount				$204,000	

[1] C = Chronic – The number that follows represents the number of chronic violations in the past 180 days; S = Serious.

[2] This column documents the start date for assessing chronic violations. As indicated in Finding No. 4, Water Code Section 13385(i) requires the Water Board to assess a mandatory penalty of three thousand dollars ($3,000) for each violation, not counting the first three violations if the Discharger violates an effluent limit four or more times in any six consecutive months.